

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**LAUREN ROTHER, KRISTAL
COLEMAN, ALLA DANCU, JOSEPH
DRURY, JAMES JACKSON, RICKY
FULLER, LAURIE GALTELAND, YOUNG
EUN KIM, CATHY WELCH, MARY
SAFATY, MARGRETTA PFEFFER, GOYH
SAEPHANH, JONATHAN THOMAS
NICHOLS, TRISTA FLORES, MICQUAEL
WALKER, NAI SAECHAO, JOEY LAW,
DAVID PITTS, EVELYN GARFIELD,
TIMOTHY JONES, JENNIFER MANEJA,
SUSAN MATHENGE, AMANDA
MOFFITT, AKIRA OKAZAKI,
ANTONINA PRANTSEVICH, TONY
SENGMANYVONG and DANA
THOMPSON,**

Plaintiffs,

No. CV 08-161-MO

v.

OPINION AND ORDER

**LESLIE LUPENKO, ANDREI LUPENKO
and TELELANGUAGE INC., an Oregon
corporation,**

Defendants.

MOSMAN, J.,

Mr. Egan is awarded fees of: \$129,746.80.

This figure represents the lodestar amount with the deductions I made on the record. Mr. Egan's wage is \$305 per hour, and his paralegal's wage is \$125 per hour. Mr. Egan spent 968.2 hours on this case and his paralegal spent 227 hours. He concedes that many of these hours were

spent on claimants with unsuccessful FLSA claims, so I begin with his lower calculation of his hours, which is 779.77 of attorney time and 182.08 of paralegal time. I deduct 70.7 hours of attorney time and 77.7 hours of paralegal time for purely administrative tasks. I deduct 7.75 hours of attorney time for excessive billing of voicemail messages. I deduct 1.6 hours of attorney time for discussions with Mr. Brackett. I deduct 0.7 hours of attorney time for discussions with law schools and the state bar. I deduct 1.0 hour of attorney time for travel to the courthouse to review documents that could have been ordered and emailed. I deduct 6.8 hours of attorney time for excessive billing relating to reading email. I deduct 25.0 hours of attorney time for systematic overbilling of small tasks, as described on the record.

After these deductions, Mr. Egan reasonably expended 666.22 hours of attorney time and 104.38 hours of paralegal time. This justifies \$203,197.10 for attorney fees and \$13,047.5 for paralegal fees.

Applying the Kerr factors, especially taking account of the plaintiffs' limited success, I deducted 40% as stated on the record. This brings the final total to \$121,918.30 for attorney fees and \$7,828.50 for paralegal fees, totaling \$129,746.80.

The plaintiffs' Motion for Attorney Fees [231] is GRANTED in the amount of \$129,746.80.

IT IS SO ORDERED.

DATED this 29th day of July, 2011.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Court